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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,751	08/30/2001	Takashi Hasegawa	NIT-300	7382

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EXAMINER

CHOWDHURY, NIGAR

ART UNIT PAPER NUMBER

2616

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/941,751	Applicant(s) HASEGAWA, TAKASHI	
	Examiner Nigar Chowdhury	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Specification

The disclosure is objected to because of the following informalities: The drawing of Fig. 10 is missing (Page 17 line 10). There is no such "Figs. 10".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-5, 7-11 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent No.6396537 by John R. Squilla.

Squilla clearly shows a cooperation service method that includes all the limitations recited in claim 1.

- A portable recording medium (see Fig. 1 (24), Col. 2 line 32-37. A camera, which takes images in the attraction and outside of the attraction.)
- Read the recorded medium (Col.2 line 60-64. Recorded item can easily accessed when user want)

- Privilege service (Fig. 4 (112, 114, 116, 118), Col. 8 line 49-56. URL and e-mail address give privilege to other people to read the information.)

Claim 2 introduces a transmission path, contents receiver, received contents allowed to be viewed and listened to. Squilla teaches a wireless transmission link between the camera and the image spot (Fig. 1(60), Col. 4 line 54-58) to transform the images from camera to the computer, the lens of camera that received images (Fig. 1(28), Col.4 line 26-29), contents viewed and listened by the liquid crystal display (Fig.1 (50), Col.4 line 35).

Claim 3 limits claim 1 by including at least one of the viewing-and-listening histories in the recorded medium. Squilla shows a recorded medium, which is a camera, can communicate with one or more attraction sites (Col.2 line 46-49). It means camera can have at least one images and sounds.

In claim 4, applicant introduces personal information to the combination of claim 3. Squilla shows a personality file which contain personal information such as " name of family members", " names of other important individuals", etc (Fig.1 (52), Col. 6 line 63-67 and Col.7 line 1-13)

Claim 5 introduces privilege services, which performs a different operation than usual operation to the combination of claim 1. Contents can be usually downloaded to

the camera and can be viewed and listened to the camera's LCD screen. Alternatively, download the URL address to camera to retrieve the content later on or download the e-mail address to the image spot to send the content to the e-mail (Fig. 4 (112, 114, 116, 118), Col.8 line 49-56).

Claim 7 limits claim 3 by adding the number of times of viewing and listening. Squilla teaches a camera, which uploads the content after data is chosen (Col. 8 line 45-49). So it will be easy to see how many times images and sounds are viewing and listening.

Claim 8 introduces privilege information that can be either an expiration date or content relating to the privilege or message relating to the privilege combination of claim 3. Squilla teaches URL address (Fig.4 (112)), which is privilege message for the data can be stored in the respective memory and the data may be downloaded via the internet at a later time. It can direct the user to get more information via the internet. Squilla also teaches e-mail address (Fig.4 (116)), which can be downloaded at the image spot. It is also easy to send content to the e-mail address for user's benefit.

Claim 9 introduces personal information, which will include at least one of the name, sex, age, and favorite character to the combination of claim 4. Squilla shows personal information which include a name and age (Fig. 1 (52), Col. 6 line 65-67 and Col. 7 line 2).

Regarding claim 10, Squilla clearly shows a portable recording medium, a portable camera, which records images and sounds related to the attraction (Fig. 1 (24), Col. 2 line 32-35).

Squilla clearly shows a content receiver that includes all the limitations recited in claim 11.

- Receiving device receives contents through a transmission path (Fig. 1 (60), Col. 4 line 55-58. Camera receives the images from image spot through wireless link 60)
- Output device for outputting the received contents (Fig. 2 and Col. 6 line 12-19. Received content can be viewed and listened through output device such as printer (88), compact disks, digital video disks, e-mail interface (93) that generate e-mail messages, customized album prints (95))
- A portable recording medium, which will record viewing and listening information (Fig. 1 (24), Col. 1 line 19-24. A digital camera, which is portable recording medium records images and sounds)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6396537 to John R. Squilla, in view of U.S. Patent No. 5021878 to Victor H. Lang.

Lang teaches an animated character, which can listen and view the images in front of character and also can talk to the audience through the headphone and microphone (Col.1 line 51-55) in the attraction site. However, Squilla teaches a portable recording medium, camera, which can take and store the images from attraction site. Squilla fails to teach a character, which can talk to viewer and listener. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a character that can talk to the viewer and listener, can give the answer of the question if audience have any, and also audience can enjoy with the character when character talks to them.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5021878 to Victor H. Lang, in view of U.S. Patent No. 6396537 to John R. Squilla.

Lang teaches an animated character that can be use for performing an attraction (Col. 3 line 59, 60). However, Squilla fails to teach a character for performing and attraction. Squilla shows input equipment that input the viewing and listening information from recording medium (Fig. 2 (10, 70), Col. 4 line 54-58 and Col. 6 line 7-19). In Fig. 2(10) shows an attraction site that has a computer and wireless communication system to communicate with the camera through wireless link 60. Computer is an input equipment to input the information from camera. In Fig. 2 (70) shows a image server which includes input device a printer 80, compact disks, digital video disks, e-mail interface 93, custom album processor 94 to input the viewing and listening information from camera through wireless link 74b. Squilla also teaches a privilege service URL address and e-mail address (Fig. 4 (112, 114, 116, 118) that carries out based on the information input by the information input equipment. However, Lang does not teach the input equipment for inputting viewing and listening information, and also a privilege service that carries the information relating to the content.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have an attraction device for performing an attraction in the attraction site to entertain the viewer and listener with it; a information input equipment, computer, printer, CDs, DVDs, etc. for inputting viewing and listening

Art Unit: 2616

information from camera to store the images for further use; a privilege service, URL and e-mail address carried out based on the information which is inputted by the information input equipment to get those information via the internet for user's convenient.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6396537 to John R. Squilla, in view U.S. Patent No. 5021878 to Victor H. Lang.

Claim 13 limits claim 12 by including at least one of a viewing and listening history in the recorded medium and privilege service carries out relating to the content. Squilla clearly shows in Col.2 line 47-49 that camera can communicate one or more attraction site and in Col.8 line 50-56 shows a privilege service URL, e-mail address are carrying out related to the content of the camera. Lang fails to teach that animated character would have at least one of a viewing and listening information recorded. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include at least one of the viewing and listening history in the recorded medium to view the history in the attraction.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Art Unit: 2616

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nigar Chowdhury whose telephone number is 571-272-8890. The examiner can normally be reached on 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NIC
11/16/2005


James J. Groody
Supervisory Patent Examiner
Art Unit 262-2616